

Parl Standing Panel on IT Readies Report on Data Bill; Oppn Dissents

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Bengaluru | New Delhi: The Parliamentary Standing Committee on Information Technology has readied a 40-page report on the Digital Personal Data Protection Bill 2023 slated to be tabled in Parliament in the ongoing monsoon session.

The report said it “firmly believes that the implementation of the Bill will be a momentous turning point in the domain of data processing, as it effectively brings the previously unregulated landscape under comprehensive regulation in a seamless and non-disruptive manner”, according to sources in the committee who described the contents of the report.

Opposition MPs however staged a walkout on Wednesday as they claimed that they were not made aware of the adoption of such a report by the committee. Opposition MPs John Brittas and Ja-whar Sircar on Thursday told ET that



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the Digital Personal Data Protection Bill, 2023 slated for introduction in the Parliament, should be successfully enacted into law, without any undue delay”. However opposition MPs told ET that it wasn't clear which version of the draft bill the report was referring to.

Sources said CPI (M) MP John Brittas gave a detailed dissent note to the committee with specific concerns. Chief among the concerns raised were -- blan-

ket exemptions for selected government agencies, and the question of whether these exemptions will meet the proportionality test as set out by the Supreme Court in the Puttaswamy Judgement.

such a report can't be drafted when the draft of the bill cleared by the cabinet was not made available to the committee members. According to sources, in the conclusion of the 12-page recommendation (part of the 40-page report) the committee states that it "agrees with provisions of the Draft Bill, (and) in no uncertain words recommend(s) that

ket exemptions for selected government agencies, and the question of whether these exemptions will meet the proportionality test as set out by the Supreme Court in the Puttaswamy Judgement.

The committee, unfortunately, has taken a very soft stance on this matter, Brittas said in his dissent note, sources said. “While recognizing the right to privacy, the Supreme Court has also observed that privacy, like other fundamental rights, is not an absolute right. However, any law encroaching upon privacy must withstand the scrutiny of permissible restrictions on fundamental rights,” the committee report said as per sources. The report also said, “The Committee is of the view that there is still a possibility of these exceptions (to right to privacy) being misused. Therefore, the Committee recommended the Ministry to devise a mechanism to ensure that these exceptions do not become the general rule and are used only in exceptional circumstances, for promoting ease of living and the digital economy.”